

## PERKINS COIE LLP

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July 8, 1999

Via Facsimile

Thomas J. Andersen, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, NW - 6th Floor  
Washington, DC 20463

Re: MUR 4763

Dear Mr. Andersen:

We are writing on behalf of the Texas Party to provide additional information in response to your May 27, 1999 letter. With regard to the first series of questions (1 through 4), we have already forwarded to you a list of contributions received and made by the Texas Democratic Party. You subsequently spoke with Marc Elias regarding the outstanding issues raised by the Texas Democratic Party in our memorandum to you dated June 25, 1999. You indicated that the Commission was willing to agree to the changes made by the Texas Democratic Party.

With regard to question number 5, the Texas Democratic Party is unaware that any of the contributions consisted of joint fundraising proceeds.

Your next series of questions (6 through 13) relate to why the Texas Democratic Party transferred certain sums to various county parties. For the most part, the information available to the Texas Democratic Party with respect to these transfers is the same information available to the Commission. For the majority of these transfers, the only information that the Texas Democratic Party has are the check copies and accompanying documents that have been produced to you. Thus, for example, you ask whether the \$20,000 transfer from the Texas Democratic Party to the Tarrant County Democratic Party on September 20, 1994 was done pursuant to the check requested dated September 19 (Bates number TDP0501). The Texas Democratic Party can only draw the same inferences that you do — which is that the \$20,000 check probably was the result of that check request form.

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With regard to question 8(f), Harold Cook was the 1994 coordinated campaign director.

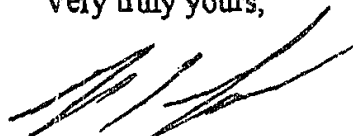
In question 9(b) you ask about the meaning of "birthday distribution." To the best of the Texas Democratic Party's knowledge, the birthday distribution related to an agreement between the DNC and the local county party committees regarding a satellite broadcast event held in conjunction with the President's birthday. It is the understanding of the Texas Democratic Party that funds raised in connection with this event were raised for the DNC. The DNC then distributed some portion of these funds to the local county committees via the state party. The state party was not a participant in this fundraising effort.

In question 12, you ask about the Party's sustaining member distribution. This disbursement was made from the federal account in error. On occasion, members of the State Democratic Executive Committee have discussed the possibility of sharing contributions raised through a "membership" program. However, this program would only have related to nonfederal funds, and such disbursements would have been made from the nonfederal account.

In your next series of questions (14 through 15), you ask about the rules of the Texas Democratic Party (which have been provided to you) and applicable state law. The Texas Democratic Party is not in a position to characterize or to interpret state law. We believe that the Commission would be better served to make its own judgments and interpretations of those provisions. Therefore, we do not believe that further response to these questions is necessary.

We hope that this information is helpful to your analysis and will bring a quick resolution to your investigation. If you have any further questions, please do not hesitate to call us.

Very truly yours,



Judith L. Corley

Marc E. Elias

Counsel to Respondents